IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

Crl.Rev.Pet.No. 1061 of 2007(E)

CRA.561/2005 of SESSIONS COURT, KOTTAYAM
ST.910/2004 of CHIEF JUDICIAL MAGISTRATE COURT, KOTTAYAM
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REVN. PETITIONER: APPELLANT/ACCUSED

P.G.APPUKUTTAN, PUTHEN MALAYIL HOUSE,
KACHUVELIKUNNU, MUTTAMPALAM P.O.
(NOW WORKING AT CORPORATION BANK,
KOTTAYAM DISTRICT).

BY ADV. SRI.TOM JOSE

RESPONDENTS: RESPONDENTS/COMPLAINANTS & STATE
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1. P.S.BINOY, PALLACKATTU HOUSE,
PARAMPUZHA P.O., KOTTAYAM.

2. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT
ERNAKULAM.

R2 BY PUBLIC PROSECUTORMR. AMJAD ALI
SMT.VEENA KRISHNAN

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 15/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.1061 of 2007

DATED THIS THE 15th day of March 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a sum of Rs.50,000/- as compensation to the complainant under Section 357 (3)Cr.P.C. and in default to undergo simple imprisonment for two months. The revision petitioner has only sought for modification of sentence and time to make the payment of compensation.

In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.50,000/- to the complainant under Section 357(3)Cr.P.C.and in default to undergo simple imprisonment for two months. The revision petitioner is granted three months time to pay the amount of compensation. He shall appear before the Chief Judicial Magistrate court, Kottayam on 16-7-2007 to receive sentence. Non -bailable warrant is not to be executed in the meantime. The Crl.revision petition is disposed of accordingly.

ks.

K.R.UDAYABHANU, JUDGE

ks.